

FILED

**United States Court of Appeals
Tenth Circuit**

UNITED STATES COURT OF APPEALS

FOR THE TENTH CIRCUIT

December 19, 2013

**Elisabeth A. Shumaker
Clerk of Court**

TONY HALL, KIMBERLY CERUTI;
ELLIS-HALL CONSULTANTS, LLC;
SUMMIT WIND POWER, LLC,

Petitioners,

v.

PARSONS KINGHORN HARRIS, a
professional corporation; GEORGE B.
HOFMANN; MATTHEW M. BOLEY;
KIMBERLEY L. HANSEN; VICTOR E.
COPELAND; LISA R. PETERSON;
MELYSSA DAVIDSON, individuals,

Respondents.

No. 13-617
(D.C. No. 2:12-CV-00771-RJS)

ORDER GRANTING FED. R. APP. P. 5 PETITION

Before **KELLY, TYMKOVICH**, and **MATHESON**, Circuit Judges.

Having considered the respondent's "Answer to Petition for Permission to Appeal," the petitioners' "Petition for Permission to Appeal" is granted pursuant to 28 U.S.C. § 1292(b).

Within 14 days from the date of this order, the petitioners must pay the filing fees for the appeal into the district court. No notice of appeal is required. *See* Fed. R. App. P. 5(d).

Upon payment of the filing fees, the U.S. District Court for the District of Utah shall transmit a preliminary record to this court. A new appellate proceeding will be opened at that time and the parties will proceed under the Federal Rules of Appellate Procedure in the usual manner.

The clerk of this court shall transmit a copy of this order to the parties and to the clerk of the U.S. District Court for the District of Utah where it will be entered on the docket of the underlying district court proceeding.

Entered for the Court
ELISABETH A. SHUMAKER, Clerk

A handwritten signature in dark ink, appearing to read "Douglas E. Cressler", written over a horizontal line.

by: Douglas E. Cressler
Chief Deputy Clerk